

**U.S. District Court  
District of New Hampshire (Concord)  
CIVIL DOCKET FOR CASE #: 1:24-cv-00055-LM-AJ**

Speight v. Kaelblein et al  
Assigned to: Chief Judge Landya B. McCafferty  
Referred to: US Magistrate Judge Andrea K Johnstone  
Cause: 28:1332 Diversity–Personal Injury

Date Filed: 02/28/2024  
Date Terminated: 09/11/2024  
Jury Demand: Plaintiff  
Nature of Suit: 360 P.I.: Other  
Jurisdiction: Diversity

**Plaintiff**

**Michael S. Speight, III**

represented by **Michael S. Speight, III**  
100 Main St, # 106  
Pembroke, NH 03275  
978 684–2496  
Email: speight6317@gmail.com  
PRO SE

V.

**Defendant**

**Amanda Kaelblein**

**Defendant**

**Michael Kaelblein**

represented by **Nicole M. Fontaine Dooley**  
Welts White & Fontaine PC  
29 Factory St  
PO Box 507  
Nashua, NH 03061  
603–582–7424  
Email: nfontainedooley@lawyersnh.com  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Nancy Kaelblein**

represented by **Nicole M. Fontaine Dooley**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**George Phelan**  
*Judge, Commonwealth of Massachusetts*  
*TERMINATED: 07/15/2024*

represented by **Eric Martignetti**  
MA Attorney General's Office  
John McCormack Bldg  
One Ashburton Pl  
Boston, MA 02108–1698  
617–963–2314  
Email: eric.martignetti@mass.gov  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant****Eric Stephanie***DOR, Commonwealth of Massachusetts*represented by **Eric Martignetti**

(See above for address)

**LEAD ATTORNEY****ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
02/26/2024	<u>1</u>	COMPLAINT against Amanda Kaelblein, Michael Kaelblein, Nancy Kaelblein, George Phelan, Eric Stephanie with Jury Demand filed by Michael S. Speight. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summonses)(mc) (Entered: 02/28/2024)
02/26/2024	<u>2</u>	MOTION to Proceed Without Prepayment of Fees or Costs. (mc) (Entered: 02/28/2024)
02/26/2024	<u>1</u>	Case assigned to Chief Judge Landya B. McCafferty and US Magistrate Judge Andrea K Johnstone. The case designation is: 1:24-cv-55-LM-AJ. Please show this number with the judge designation on all future pleadings. (mc) (Entered: 02/28/2024)
02/28/2024	<u>1</u>	NOTICE. This case has been designated for Electronic Case Filing. All further submissions shall be filed in compliance with the Administrative Procedures for Electronic Case Filing. Pro se litigants are not required to file electronically and may continue to file documents in paper format. <a href="#">Persons filing electronically are strongly encouraged to complete the interactive training modules available on the courts website. To access these modules, click <u>HERE</u>.</a> (mc) (Entered: 02/28/2024)
02/28/2024	<u>1</u>	<b>ENDORSED ORDER granting <u>2</u> Application to Proceed Without Prepayment of Fees or Costs. Text of Order: Plaintiff's request to proceed without prepayment of fees or costs is hereby granted, but only for the purpose of waiving the filing fee. So Ordered by US Magistrate Judge Andrea K Johnstone.(mc)</b> (Entered: 02/28/2024)
03/01/2024	<u>3</u>	Diversity of Citizenship Disclosure Statement by Michael S. Speight identifying the citizenship of every individual or entity whose citizenship is attributed to them. (de) (Entered: 03/11/2024)
03/15/2024	<u>4</u>	Pro Se MOTION to Participate in Electronic Filing filed by Michael S. Speight.Follow up on Objection on 3/29/2024. The court only follow up date DOES NOT include 3 additional days that may apply per FRCP 6(d) and FRCrP 45(c).(de) (Entered: 03/21/2024)
03/18/2024	<u>5</u>	MOTION for Mental Health Evaluation on Minor Child filed by Michael S. Speight.Follow up on Objection on 4/1/2024. The court only follow up date DOES NOT include 3 additional days that may apply per FRCP 6(d) and FRCrP 45(c). (Attachments: # <u>1</u> Memorandum of Law, # <u>2</u> Affidavit, # <u>3</u> Exhibit 1, # <u>4</u> Exhibit 2, # <u>5</u> Exhibit 3)(de) (Entered: 03/22/2024)
04/01/2024	<u>1</u>	<b>ENDORSED ORDER. Text of Order: ORDER PROHIBITING REMOTE ELECTRONIC ACCESS -- Document No. 1 contains one or more personal identifiers listed in Fed. R. Civ. P. 5.2(a). Making this information available over the Internet may result in personal or financial harm to the person whose information is contained therein. As good cause exists to prohibit a nonparty from obtaining remote electronic access to Document No. 1, the clerk shall limit remote access accordingly pursuant to Fed. R. Civ. P. 5.2(e)(2). So Ordered by US Magistrate Judge Andrea K Johnstone.(de)</b> (Entered: 04/01/2024)
04/01/2024	<u>1</u>	Filing Fee paid: \$ 405 (Credit Card), receipt number 1337 by Michael S. Speight re: <u>1</u> Complaint. (mc) (Entered: 04/01/2024)
04/01/2024	<u>6</u>	Summonses given in hand as to Amanda Kaelblein, Michael Kaelblein, Nancy Kaelblein, George Phelan, Eric Stephanie. <b>NOTICE: Counsel shall print and serve the summons(s and all attachments in accordance with Fed. R. Civ. P. 4.</b> (Attachments: # <u>1</u> Notice ECF)(mc) (Entered: 04/01/2024)

		04/01/2024)
04/15/2024	<u>7</u>	Return of Service Executed as to George Phelan, Eric Stephanie by Michael S. Speight. Served/Mailed on 4/10/2024. Answer Follow Up on 5/1/2024. (Attachments: # <u>1</u> Summonses)(vln) (Entered: 04/17/2024)
04/17/2024	<u>8</u>	MOTION to Amend <u>1</u> Complaint filed by Michael S. Speight. (Attachments: # <u>1</u> Memorandum of Law, # <u>2</u> Exhibit (Affidavit))(vln) (Entered: 04/18/2024)
04/24/2024	<u>9</u>	NOTICE of Attorney Appearance by Eric Martignetti on behalf of George Phelan <i>in his official capacity</i> Attorney Eric Martignetti added to party George Phelan(pty:dft).(Martignetti, Eric) (Entered: 04/24/2024)
04/29/2024	<u>12</u>	Returns of Service Executed as to Amanda Kaelblein, Michael Kaelblein, Nancy Kaelblein by Michael S. Speight. Served/Mailed on 4/24/2024. Answer Follow Up on 5/15/2024. (de) (Entered: 04/30/2024)
04/30/2024	<u>10</u>	NOTICE of Attorney Appearance by Eric Martignetti on behalf of George Phelan, Eric Stephanie <i>in their individual and official capacities</i> Attorney Eric Martignetti added to party Eric Stephanie(pty:dft).(Martignetti, Eric) (Entered: 04/30/2024)
04/30/2024	<u>11</u>	MOTION to Extend Time to Answer to May 24, 2024 <i>or File Motion to Dismiss</i> filed by George Phelan, Eric Stephanie.Follow up on Objection on 5/14/2024. The court only follow up date DOES NOT include 3 additional days that may apply per FRCP 6(d) and FRCrP 45(c).(Martignetti, Eric) (Entered: 04/30/2024)
04/30/2024	<u>13</u>	Assented to MOTION to Extend Time to Answer to May 24, 2024 <i>or File Motion to Dismiss</i> filed by George Phelan, Eric Stephanie.(Martignetti, Eric) (Entered: 04/30/2024)
05/06/2024	<u>1</u>	<b>ENDORSED ORDER granting <u>13</u> Assented to Motion to Extend Time to Answer to May 24, 2024 or File Motion to Dismiss. Text of Order: Motion to Extend Time to Answer is granted. For the reasons stated in the motion, the court finds good cause to extend the deadline for issuing the scheduling order pursuant to Fed. R. Civ. P. 16(b). So Ordered by US Magistrate Judge Andrea K Johnstone. Answer Follow Up on 5/24/2024.(de)</b> (Entered: 05/06/2024)
05/21/2024	<u>14</u>	MOTION to Dismiss for Failure to State a Claim filed by George Phelan, Eric Stephanie.Follow up on Objection on 6/4/2024. The court only follow up date DOES NOT include 3 additional days that may apply per FRCP 6(d) and FRCrP 45(c).(Martignetti, Eric) (Entered: 05/21/2024)
05/21/2024	<u>15</u>	MEMORANDUM in Support re <u>14</u> MOTION to Dismiss for Failure to State a Claim filed by George Phelan, Eric Stephanie. (Martignetti, Eric) (Entered: 05/21/2024)
05/22/2024	<u>16</u>	MOTION for Default Judgment as to Amanda Kaelblein, Michael Kaelblein, and Nancy Kaelblein filed by Michael S. Speight.Follow up on Objection on 6/5/2024. The court only follow up date DOES NOT include 3 additional days that may apply per FRCP 6(d) and FRCrP 45(c).(de) (Entered: 05/30/2024)
05/30/2024	<u>17</u>	Addendum/Certificate to <u>16</u> MOTION for Default Judgment as to Amanda Kaelbein, Michael Kaelbein, and Nancy Kaelbein by Michael S. Speight. (de) (Additional attachment(s) added on 6/3/2024: # <u>1</u> Receipt) (de). (Entered: 06/03/2024)
06/03/2024	<u>19</u>	OBJECTION to <u>14</u> MOTION to Dismiss for Failure to State a Claim filed by Michael S. Speight. Follow up on Reply on 6/10/2024. The court only follow up date DOES NOT include 3 additional days that may apply per FRCP 6(d) and FRCrP 45(c). (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 2a, # <u>4</u> Exhibit 3, # <u>5</u> Exhibit 4, # <u>6</u> Exhibit 5, # <u>7</u> Exhibit 6, # <u>8</u> Exhibit 7, # <u>9</u> Exhibit 8, # <u>10</u> Exhibit 9, # <u>11</u> Exhibit 10)(de) (Entered: 06/06/2024)
06/05/2024	<u>18</u>	

		NOTICE of Attorney Appearance by Nicole M. Fontaine Dooley on behalf of Michael Kaelblein, Nancy Kaelblein Attorney Nicole M. Fontaine Dooley added to party Michael Kaelblein(pty:dft), Attorney Nicole M. Fontaine Dooley added to party Nancy Kaelblein(pty:dft).(Dooley, Nicole) (Entered: 06/05/2024)
06/07/2024	<u>20</u>	MOTION to Extend Time to Answer to 06/17/2024 filed by Michael Kaelblein, Nancy Kaelblein.Follow up on Objection on 6/21/2024. The court only follow up date DOES NOT include 3 additional days that may apply per FRCP 6(d) and FRCrP 45(c).(Dooley, Nicole) (Entered: 06/07/2024)
06/07/2024	<u>21</u>	OBJECTION to <u>16</u> MOTION for Default Judgment as to Amanda Kaelbein, Michael Kaelbein, and Nancy Kaelbein filed by Michael Kaelblein, Nancy Kaelblein. Follow up on Reply on 6/14/2024. The court only follow up date DOES NOT include 3 additional days that may apply per FRCP 6(d) and FRCrP 45(c). (Dooley, Nicole) (Entered: 06/07/2024)
06/10/2024	<u>25</u>	MOTION for Preliminary Injunction filed by Michael S. Speight.Follow up on Objection on 6/24/2024. The court only follow up date DOES NOT include 3 additional days that may apply per FRCP 6(d) and FRCrP 45(c). (Attachments: # <u>1</u> Memorandum of Law, # <u>2</u> Exhibit 1, # <u>3</u> Exhibit 2, # <u>4</u> Exhibit 3, # <u>5</u> Exhibit 4, # <u>6</u> Exhibit 5, # <u>7</u> Exhibit 6, # <u>8</u> Exhibit 7, # <u>9</u> Exhibit (Affidavit)).(de) (Entered: 06/12/2024)
06/11/2024	<u>22</u>	NOTICE of Amended Certificate of Service <i>for Motion to Extend Time</i> by Michael Kaelblein, Nancy Kaelblein.(Dooley, Nicole) (Entered: 06/11/2024)
06/11/2024	<u>23</u>	NOTICE of Amended Certificate of Service <i>for Objection to Motion for Default</i> by Michael Kaelblein, Nancy Kaelblein.(Dooley, Nicole) (Entered: 06/11/2024)
06/11/2024	<u>24</u>	Addendum/ to <u>20</u> MOTION to Extend Time to Answer to 06/17/2024 by Michael Kaelblein, Nancy Kaelblein. (Dooley, Nicole) (Entered: 06/11/2024)
06/11/2024	<u>I</u>	<b>ENDORSED ORDER. Text of Order: Plaintiff's Motion to Participate in electronic Filing (4) is Granted. Plaintiff's Motion for Mental Health Evaluation (5) is denied. Plaintiff's Motion to Amend Complaint (8) is granted. The Amendment adds no new facts, but only clarifies that two defendants are being sued in both personal and professional capacities. Accordingly, the defendants may supplement their pending motion to dismiss (14) within 21 days of this Order; the plaintiff may supplement his objection (19) within 21 days thereafter. So Ordered by US Magistrate Judge Andrea K Johnstone.(vln)</b> (Entered: 06/12/2024)
06/12/2024	<u>I</u>	<b>ENDORSED ORDER granting <u>20</u> MOTION to Extend Time to Answer to 06/17/2024. Text of Order: Granted. So Ordered by US Magistrate Judge Andrea K Johnstone.(de)</b> (Entered: 06/12/2024)
06/13/2024	<u>26</u>	MOTION for Default Judgment as to Amanda Kaelblein filed by Michael S. Speight.Follow up on Objection on 6/27/2024. The court only follow up date DOES NOT include 3 additional days that may apply per FRCP 6(d) and FRCrP 45(c). (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2)(de) (Entered: 06/14/2024)
06/14/2024	<u>27</u>	MOTION Rule 60 – Relief from a Judgment or Order to Extend Time to Answer/Set Aside Default on Michael Kaelblein and Nancy Kaelblein on June 12, 2024 filed by Michael S. Speight. Follow up on Objection on 6/28/2024. The court only follow up date DOES NOT include 3 additional days that may apply per FRCP 6(d) and FRCrP 45(c). (Attachments: # <u>1</u> Exhibit (Affidavit))(de) (Entered: 06/17/2024)
06/17/2024	<u>28</u>	MOTION to Dismiss filed by Michael Kaelblein, Nancy Kaelblein.Follow up on Objection on 7/1/2024. The court only follow up date DOES NOT include 3 additional days that may apply per FRCP 6(d) and FRCrP 45(c).(Dooley, Nicole) (Entered: 06/17/2024)

06/17/2024	<u>29</u>	BRIEF/MEMORANDUM <i>in Support of Their Motion to Dismiss</i> by Michael Kaelblein, Nancy Kaelblein(Dooley, Nicole) (Entered: 06/17/2024)
06/18/2024	<u>30</u>	MOTION to Request Hearing on Preliminary Injunction / and or Default Judgment against Amanda Kaelblein filed by Michael S. Speight, III.Follow up on Objection on 7/2/2024. The court only follow up date DOES NOT include 3 additional days that may apply per FRCP 6(d) and FRCrP 45(c).(de) (Entered: 06/18/2024)
06/18/2024	<u>31</u>	SIGNED PAGE to DN <u>30</u> Motion to Request Hearing on Preliminary Injunction / and or Default Judgment against Amanda Kaelblein(Speight, Michael) Modified on 6/20/2024 to CORRECT DOCKET TEXT (vln). (Entered: 06/18/2024)
06/18/2024	<u>32</u>	<b>DUPLICATE</b> SIGNED PAGE to DN <u>30</u> Motion to Request Hearing on Preliminary Injunction / and or Default Judgment against Amanda Kaelblein (Speight, Michael) Modified on 6/20/2024 to correct docket text (vln). (Entered: 06/18/2024)
06/23/2024	<u>33</u>	REFILED, SEE DOC. <u>35</u> . MOTION to Amend <u>21</u> Objection to Motion, filed by Michael S. Speight, III. <b>HEARING REQUESTED</b> .Follow up on Objection on 7/8/2024. The court only follow up date DOES NOT include 3 additional days that may apply per FRCP 6(d) and FRCrP 45(c).(Speight, Michael) Modified on 7/9/2024 to add: REFILED, SEE DOC. 35 (de). (Entered: 06/23/2024)
06/23/2024	<u>34</u>	MOTION to Amend <u>25</u> MOTION for Preliminary Injunction filed by Michael S. Speight, III. <b>HEARING REQUESTED</b> .Follow up on Objection on 7/8/2024. The court only follow up date DOES NOT include 3 additional days that may apply per FRCP 6(d) and FRCrP 45(c).(Speight, Michael) (Entered: 06/23/2024)
06/23/2024	<u>35</u>	MOTION to Amend <u>26</u> MOTION for Default Judgment as to Amanda Kaelblein filed by Michael S. Speight, III. <b>HEARING REQUESTED</b> .Follow up on Objection on 7/8/2024. The court only follow up date DOES NOT include 3 additional days that may apply per FRCP 6(d) and FRCrP 45(c).(Speight, Michael) (Entered: 06/23/2024)
06/23/2024	<u>36</u>	MOTION to Amend filed by Michael S. Speight, III.Follow up on Objection on 7/8/2024. The court only follow up date DOES NOT include 3 additional days that may apply per FRCP 6(d) and FRCrP 45(c).(Speight, Michael) (Entered: 06/23/2024)
06/23/2024	<u>37</u>	OBJECTION to <u>28</u> MOTION to Dismiss filed by Michael S. Speight, III. Follow up on Reply on 7/1/2024. The court only follow up date DOES NOT include 3 additional days that may apply per FRCP 6(d) and FRCrP 45(c). (Speight, Michael) (Entered: 06/23/2024)
07/07/2024	<u>38</u>	/// NOTICE OF VOL. DISMISSAL OF JUDGE GEORGE PHELAN filed by Michael S. Speight, III.(Speight, Michael) Modified on 7/9/2024 to CORRECT text to match pleading: NOTICE OF VOL. DISMISSAL (de). Modified on 7/9/2024 to add: /// (de). (Entered: 07/07/2024)
07/07/2024	<u>39</u>	Supplement to Objection to Motion to Dismiss for Eric Stephanie filed by Michael S. Speight, III.(Speight, Michael) Modified on 7/9/2024 to change/correct to: Supplement to Objection to Motion to Dismiss for Eric Stephanie (de). (Entered: 07/07/2024)
07/07/2024	<u>40</u>	AFFIDAVIT of Service of summons/complaint as to Amanda Kaelblein filed by Michael S. Speight, III. Served/Mailed on 5/14/2024. Answer Follow Up on 6/4/2024. The court only follow up date DOES NOT include 3 additional days that may apply per FRCP 6(d) and FRCrP 45(c).(Speight, Michael) (Entered: 07/07/2024)
07/08/2024	<u>41</u>	OBJECTION to <u>36</u> MOTION to Amend filed by Michael Kaelblein, Nancy Kaelblein. Follow up on Reply on 7/15/2024. The court only follow up date DOES NOT include 3 additional days that may apply per FRCP 6(d) and FRCrP 45(c). (Dooley, Nicole) (Entered: 07/08/2024)
07/08/2024	<u>42</u>	



MEMORANDUM re 41 Objection to Motion, *to Amend Complaint* filed by Michael Kaelblein, Nancy Kaelblein. (Dooley, Nicole) (Entered: 07/08/2024)

07/09/2024	<u>I</u>	Motion terminated: <u>33</u> MOTION to Amend <u>21</u> Objection to Motion filed by Michael S. Speight, III – – This motion was linked incorrectly and has been Refiled at Doc. <u>35</u> . (de) (Entered: 07/09/2024)
07/09/2024	<u>I</u>	Motion terminated: <u>39</u> Amended MOTION to Amend filed by Michael S. Speight, III – – Filer used wrong event – This is a Supplement to Objection/document 19. (de) (Entered: 07/09/2024)
07/09/2024	<u>I</u>	Notice regarding <u>14</u> MOTION to Dismiss for Failure to State a Claim : Pursuant to Local Rule 72.1, this motion has been referred to Magistrate Judge Andrea K Johnstone for proposed findings of fact and a recommendation as to its disposition. Any such findings and recommendations shall be filed with the Court and a copy shall forthwith be served on all parties. (de) (Entered: 07/09/2024)
07/09/2024	<u>I</u>	<b>ENDORSED ORDER denying <u>27</u> Motion for Relief from a Judgment or Order to Extend Time to Answer. Text of Order: Denied. So Ordered by US Magistrate Judge Andrea K Johnstone.(de)</b> (Entered: 07/09/2024)
07/14/2024	<u>I</u> <u>43</u>	MOTION emergency filed by Michael S. Speight, III.Follow up on Objection on 7/29/2024. The court only follow up date DOES NOT include 3 additional days that may apply per FRCP 6(d) and FRCrP 45(c).(Speight, Michael) (Entered: 07/14/2024)
07/15/2024	<u>I</u>	<b>ENDORSED ORDER re: <u>38</u> Notice of Vol. Dismissal of Judge George Phelan. Text of Order: Reviewed. So Ordered by Chief Judge Landya B. McCafferty.(de)</b> (Entered: 07/16/2024)
07/22/2024	<u>I</u> <u>44</u>	OBJECTION to <u>43</u> MOTION emergency <i>to Prevent Dismissal to Re-Serve Defendants</i> filed by Michael Kaelblein, Nancy Kaelblein. Follow up on Reply on 7/29/2024. The court only follow up date DOES NOT include 3 additional days that may apply per FRCP 6(d) and FRCrP 45(c). (Dooley, Nicole) (Entered: 07/22/2024)
07/25/2024	<u>I</u> <u>45</u>	MOTION transfer to proper venue filed by Michael S. Speight, III.Follow up on Objection on 8/8/2024. The court only follow up date DOES NOT include 3 additional days that may apply per FRCP 6(d) and FRCrP 45(c).(Speight, Michael) (Entered: 07/25/2024)
09/08/2024	<u>I</u> <u>46</u>	MOTION for Judgment rule 201 filed by Michael S. Speight, III.Follow up on Objection on 9/23/2024. The court only follow up date DOES NOT include 3 additional days that may apply per FRCP 6(d) and FRCrP 45(c).(Speight, Michael) (Entered: 09/08/2024)
09/09/2024	<u>I</u> <u>47</u>	MOTION status confrence filed by Michael S. Speight, III. <b>HEARING REQUESTED</b> .Follow up on Objection on 9/23/2024. The court only follow up date DOES NOT include 3 additional days that may apply per FRCP 6(d) and FRCrP 45(c).(Speight, Michael) (Entered: 09/09/2024)
09/11/2024	<u>I</u> <u>48</u>	<b>ORDER granting <u>45</u> Motion to Transfer Venue. Based on the foregoing, plaintiff's motion to transfer (Doc. No. 45) is granted. The Clerk's office shall transfer this case to the District of Massachusetts. So Ordered by US Magistrate Judge Andrea K Johnstone.(de)</b> (Entered: 09/11/2024)
09/11/2024	<u>I</u>	Civil Case Terminated. (de) (Entered: 09/11/2024)